

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re

DOWLING COLLEGE,

Chapter 11
Case No.: 16-75545 (REG)

**NOTICE OF APPEARANCE
AND DEMAND FOR SERVICE OF
PAPERS**

Debtor.

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PLEASE TAKE NOTICE, that Certilman Balin Adler & Hyman, LLP, hereby appears as local counsel for ACA Financial Guaranty Corp. (“ACA”) in the above-captioned case pursuant to section 1109(b) of title 11 of the United States Code (as amended, the “Bankruptcy Code”), Rules 2002, 3017(a), 9007 and 9010 of the Federal Rules of Bankruptcy Procedure (as amended the “Bankruptcy Rules”) and Rule 2002-1 (d) of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the Eastern District of New York, and request that copies of any and all notices and papers filed or entered in these cases be given to and served upon the following:

CERTILMAN BALIN ADLER & HYMAN, LLP
90 Merrick Avenue, 9th Floor
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(516) 296-7000
Attention: Richard J. McCord, Esq.
Attention: Thomas J. McNamara, Esq.
E-Mail: rmcord@certilmanbalin.com
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PLEASE TAKE FURTHER NOTICE, that this constitutes not only a request for service of the notices and papers referred to in the Bankruptcy Rules specified above, but also includes, without limitation, a request for service of all orders and notices of any application, motion, petition, pleading, request, complaint or demand, whether formal or informal, whether

written or oral, and whether transmitted or conveyed by mail, courier service, hand delivery, telephone, facsimile transmission, telegraph, telex or otherwise that (1) effects or seeks to affect in any way rights or interests of any creditor or party in interest in these cases, with respect to (a) the Debtor in the above-captioned cases and any related adversary proceedings, whether currently pending or later commenced (the "Debtor"); (b) property of the Debtor's estate, or proceeds thereof, in which the Debtor may claim an interest; or (c) property or proceeds thereof in the possession, custody, or control of others that the Debtor may seek to use; or (2) requires or seeks to require any act or other conduct by a party in interest.

PLEASE TAKE FURTHER NOTICE that this notice of appearance and any subsequent appearance, pleading, claim or suit is not intended nor shall be deemed to waive the rights of ACA: (1) to have an Article III judge adjudicate in the first instance any case, proceeding, matter, or controversy as to which a bankruptcy judge may not enter a final order or judgment consistent with Article III of the United States Constitution; (2) to have final orders in a non-core case, proceeding, matter, or controversy entered only after an opportunity to object to proposed findings of fact and conclusions of law and a *de novo* review by a district court judge; (3) to trial by jury in any case, proceeding, matter, or controversy so triable; (4) to have the reference withdrawn by the United States District Court in any case, proceeding matter, or controversy subject to mandatory or discretionary withdrawal; or (5) any other rights, claims actions, defenses, setoffs, or recoupments to which ACA is or may be entitled under agreements in law, or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments expressly are hereby reserved. For the avoidance of doubt, filing this notice is not intended as, and shall not be ACA's consent to the entry of final orders and judgments in any case, proceeding, matter, or controversy if it is determined that the Court, absent consent of ACA,

cannot enter final orders or judgments in such any case, proceeding, matter, or controversy, as applicable, consistent with Article III of the United States Constitution.

Dated: East Meadow, New York
December 8, 2016

CERTILMAN BALIN ADLER & HYMAN, LLP
Local Counsel for ACA Financial Guaranty Corp

By: /s/Richard J. McCord, Esq.
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